

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

INDICTMENT

S2 07 Cr. 137 (SAS)

WILLIAM NKRUMAH, :

a/k/a "Rasheed", :

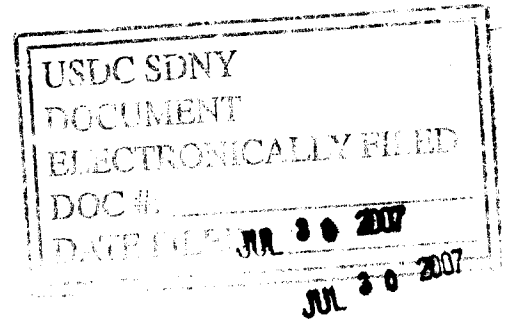
a/k/a "John Graham", and :

ADAM TAWIK, :

Defendants. :

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COUNT ONE



The Grand Jury charges:

1. In or about December 2006, in the Southern District of New York and elsewhere, WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate commerce, did effect and attempt to effect transactions, with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period, the aggregate value of which is equal to and greater than \$1,000, to wit, NKRUMAH and TAWIK, without authorization, used credit card account numbers issued to others to purchase and attempt to purchase generators from a store in New Jersey.

(Title 18, United States Code, Sections 1029(a)(5), (b)(1), and 2.)

COUNT TWO

The Grand Jury further charges:

2. In or about December 2006, in the Southern District of New York and elsewhere, WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1029(a)(5).

3. It was a part and object of the conspiracy that WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did effect transactions, with one and more access devices issued to another person and persons, to receive payment and any other thing of value during a one-year period, the aggregate value of which is equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

OVERT ACTS

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

(a) In or about December 2006, in the Bronx, New York, ADAM TAWIK, the defendant, accepted delivery of two generators ordered from a store in New Jersey.

(b) In or about December 2006, in the Bronx, New York, WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, accepted delivery of four generators ordered from a store in New Jersey.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT THREE

The Grand Jury further charges:

5. In or about December 2006, in the Southern District of New York and elsewhere, WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, unlawfully, willfully and knowingly, did transfer, possess and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Section 1028A(c), to wit, NKRUMAH and TAWIK used and transferred credit card account numbers to commit access device fraud and participate in a conspiracy to commit access device fraud as charged in Counts One and Two of this Superseding Indictment.

(Title 18, United States Code Sections 1028A and 2.)

FORFEITURE ALLEGATION

AS TO COUNTS ONE THROUGH THREE

6. As a result of committing the offenses alleged in Counts One Through Three of this Superseding Indictment, WILLIAM NKRUMAH, a/k/a "Rasheed", a/k/a "John Graham", and ADAM TAWIK, the defendants, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud, credit card fraud conspiracy, and aggravated identity theft offenses.

Substitute Asset Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

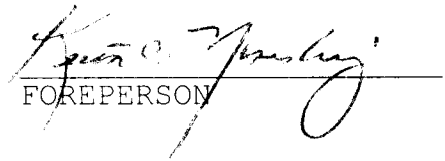
(3) has been placed beyond the jurisdiction of the Court;

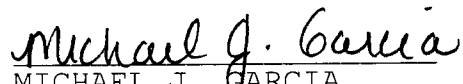
(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and Title 18, United States Code, Sections 2, 1028A, 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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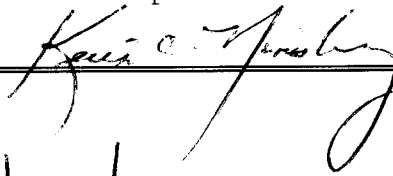
S2 07 Cr. 137 (SAS)

(18 U.S.C. §§ 1029 (a)(5), (b)(1), & (b)(2),
2, 1028A)

MICHAEL J. GARCIA
United States Attorney

A TRUE BILL

Foreperson.



7/30/07
EO

Filed Indictment

Pitman
U.S.M.J.